



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.8

AMARAVATI, SATURDAY, FEBRUARY 24, 2024

G.3911

**PART I - NOTIFICATIONS BY GOVERNMENT, HEADS OF DEPARTMENTS
AND OTHER OFFICERS**

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NOTIFICATIONS BY GOVERNMENT

**TRANSPORT ROADS & BUILDINGS DEPARTMENT
(VIG.R&B)**

ALLEGATIONS OF IRREGULARITIES AGAINST R&B OFFICIALS FOR GRANTING OF QUARRY LEASES FOR ROAD METAL IN FAVOUR OF M/s SHIRDI SAI CRUSHERS R.S.No.90, 88, 13/1 & 13/8 OF KONDAGUDEM VILLAGE, DEVARAPALLI MANDAL, WEST GODAVARI DISTRICT - DEPARTMENTAL PROCEEDINGS INITIATED AGAINST Sri S.SURYANARAYANA RAJU, THE THEN EXECUTIVE ENGINEER (R&B) KOWUR, WEST GODAVARI DISTRICT NOW RETIRED UNDER RULE 20 OF ANDHRA PRADESH CIVIL SERVICES (CLASSIFICATION, CONTROL AND APPEAL) RULES, 1991 - ARTICLES OF CHARGES.

**[G.O.Rt.No.412, Transport Roads & Buildings (Vig.R&B),
22nd December, 2022.]**

Read the following:

1. From the DG,GA(V&E) & EO, Prl Secretary to Govt, GA(V&E) Dept, Vigilance Report no.05(C.No.1025/V&E/NR.I/2016, dated 19-01-2018.
2. Govt Memo No.21021/9/Vig(R&B)/2019-1, dated 22-04-2022.
3. From the ENC(R&B) Admn, Letter. No 6151/VC(1)/2019, dt.02.11.2022.
4. G.O.Ms.No.51 , TR&B(VIG.R&B) Dept, dt.22.12.2022.

ORDER:

In pursuance of the sanction accorded by the Government under Sub-Clause (i) of clause (b) of sub-rule (2) of Rule 9 of the A.P. Revised Pension Rules, 1980 for instituting departmental proceedings against Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired vide reference 4th cited, It is proposed to hold an Inquiry against Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired in accordance with the procedure laid down in rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substances of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each articles of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He is, therefore, directed to submit his written statement of defence within 10 days of the receipt of this order, specifically admitting or denying each article of charge.

4. Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CCA) Rules 1991 or the orders/ directions issued on pursuance of the said rules, the inquiring authority may hold the inquiry against him ex-parte.

5. Attention of Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired is invited to Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, which orders that no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired is aware of such representation and that, it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

6. The receipt of the memorandum be acknowledged.

PRADYUMNA PS,
Secretary to Government.

To

Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired through ENC(R&B) Admn, A.P, Vijayawada.

The Engineer-In-Chief (R&B), Vijayawada. (He is requested to serve the Articles of Charge on the charged officer duly obtaining acknowledgement with dated Signature and send the same for record.)

SF/SC

//FORWARDED BY ORDER//

ANNEXURE-I

(G.O.Rt.No.412, T.R&B(Vig.R&B) Department, Dt.22.12.2022)

Statement of Articles of Charge framed against Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired**Article**

That the said Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvuru, West Godavari District Retired, has committed the following lapses;

- i. Failed to observe / notice quarrying by the M/s Shirdi Sai Crushers at Km 11/0-2 in Dommeru - Decherla (R&B) road in Survey Nos.88 (existing R&B road), Survey No.13/1 & 13/8 (Buffer Zones for R&B Road).

This amounts to dereliction of duties.

Thus, he has violated Para-25 of A.P.P.W. "D" Code, Rule-3(1) of A.P.C.S (CC&A) Rules,1964 and Article-4 of A.P. Financial Code Volume-1.

//FORWARDED BY ORDER//

SECTION OFFICER



ANNEXURE-II**Statement of Imputations of misconduct or misbehaviour in support of Articles of Charge framed against Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired.****IMPUTATIONS**

The Vigilance & Enforcement Department Officials conducted Enquiry on the allegations made by the petitioners Sri Isukapati Srinivasa Rao and Sri N.Subba Rao of West Godavari District with regard to granting of quarry leases for Road Metal in favour of M/.Shiridi Sai Stone Crushers in R.S.No.90, 88, 13/1 and 13/8 of Kondagudem Village, Devarapalli Mandal, West Godavari District.

A) Allegations:-

1	The Lessee company M/s.Shiridi Sai Stone Crushers has not paid land lease amount of Rs.63.30 lakhs to the Revenue Department right from the granting of quarry lease for Road Metal in Sy.No.90/2 of Kondagudem Village, Devarapalli Mandal, West Godavari District.
2	Sri Kotharu Siva Rama Krishna, Proprietor of M/s.Shiridi Sai Stone Crushers is conducting illegal quarrying/transporting huge quantity of Road Metal from the above leased area without payment of seigniorage fee and sales tax, thereby causing huge loss to the Government exchequer.
3	The lease holder has irregularly excavated Dommeru – Decherla R&B Road and dispatched huge quantity of Road Metal without payment of seigniorage fee. No action was taken by the concerned Departmental Officers, which is giving an impression that the Departmental Officers were in collusion with the lease holder.

1. On 22.10.2008, the then Executive Engineer (R&B) Division, Kovvuru had given permission to take up the formation of temporary diversion duly closing the R&B Road of Dommeru – Decherla in Km.11/0-2 R/s to a length of 185 meters in favour of M/s.Shiridi Sai Stone Crushers to perform quarry operations in their existing quarry leased area.
2. The Tahsildar, Devarapalli Mandal has issued No Objection Certificate for grant of quarry lease for Road Metal over an extent of 0.70 Acres in S.No.88 (existing R&B Road) of Kondagudem Village, Devarapalli Mandal, West Godavari District in favour of M/s.Shiridi Sai Stone Crushers for a period of 5 years and copy of the same was marked to the Executive Engineer (R&B) Kovvuru for information.
3. But the above Executive Engineer has failed to object for the granting of quarry lease in R&B Road of Dommeru – Decherla in Km.11/0-2 R/s to a length of 185 meters in favour of M/s.Shiridi Sai Stone Crushers.
4. The Deputy Director, Mines and Geology, Kakinada has granted quarry lease in favour of M/s.Shiridi Sai Stone Crushers for a period of 5 years in the area in question and the same was executed by the Assistant Director, Mines and Geology, Eluru vide Lr.No.6222/Q1/2008, Dt.13.03.2009.
5. Subsequently, all the Officials of the R&B Department in Kovvuru division have also failed to object to the quarrying operations in Dommeru – Decherla R&B Road from 13.03.2009 to 23.10.2013.
6. As per the instructions of the District Collector, West Godavari, Eluru in connection with the adverse news item published in Eenadu Dt.17.11.2015 under caption "R&B Road nu addangaatavvesaru", the Revenue Divisional Officer, Kovvuru has inspected the quarry lease area of M/s.Shiridi Sai Stone Crushers on

30.11.2015 and submitted a report vide Roc.No.1745/2015/L, Dt.11.12.2015 to the District Collector and the findings are as detailed below;

- (i) The then Executive Engineer (R&B) Kovvuru has deliberately and blatantly issued permission for quarry operations on the R&B Road by violating the conditions, gave permission to a Government property without jurisdiction and played an active role by colluding with the lease holder Sri Kotharu Siva Rama Krishna. Being a responsible Officer, he has to obtain special orders in this nature of land, which is not done by the Executive Engineer (R&B) Kovvuru.
 - (ii) The then Tahsildar has totally failed to examine the permission given by the Executive Engineer (R&B) and simply recommended without observing that the land in question was a Government Land.
 - (iii) The Assistant Director, Mines and Geology, Eluru has also accorded permission to the lease holder for quarrying without examining the nature of land and accorded permission for Government Property i.e, R&B Road duly colluding with the party and totally failed to protect the Government Land.
 - (iv) Hence, the above Officers are totally responsible in the matter. Disciplinary action is warranted for their failure in protecting Government Land, according permission for quarry mining operations on a Government R&B road without jurisdiction duly colluding with the applicant and becoming a party for the entire episode which is not expected from a public servant.
The action of the District Collector, West Godavari on the findings of the Revenue Divisional Officer, Kovvuru is not known.
7. During inspection, while taking pit measurements in determined quarry leased area, it was observed that the Dommeru – Decherla R&B Road at Km.11/0-2 for a length of 185 meters in Sy.No.88 of Kondagudem Village and buffer zones of the R&B Road in Sy.No.90/2, 13/1 and 13/8 of Kondagudem village were completely excavated to a depth of 16 – 18 meters (average 12 meters depth of rock portion and overburden of 4 – 6 meters) and 51,810 cum of Road Metal was transported without payment of seigniorage fee.
 8. After intervention of the Vigilance and Enforcement Department, the Deputy Executive Engineer (R&B) Sub-Division, Kovvuru has addressed a letter to M/s.Shiridi Sai Stone Crushers, Kondagudem, wherein it was mentioned that permission was given to form temporary diversion of R&B road to perform quarry operations. But even after a period of 8 years, the road was not handed over, which was not traced in the field. Further he has requested to hand over the R&B Road in Original Position vide Letter No.V&E/Stone Crushed/DD Road/HC/2008, Dt.06.09.2016.
 9. On 22.12.2016, M/s.Shiridi Sai Stone Crushers has handed over the R&B Road partially forming the buffer zones and without traffic worthy condition against the conditions imposed by the Executive Engineer (R&B) Kovvuru vide 653/A.T.O./08, Dt.22.10.2008.
 10. The Superintending Engineer (R&B) Eluru has informed that no instructions were received from the Government for removal of existing R&B Road and no such GOs or Circulars are issued to accord permission by the R&B Department to a private person / firm to excavate minerals from the R&B Road vide Lr.No.4591/VC(1)/2003, Dt.03.01.2017.
 11. After completion of quarry operations in R&B Road and buffer zones, the lease holder M/s.Shiridi Sai Stone Crushers has partially reclaimed with Earth in

Sy.No.88, 13/1 and 13/8 of Kondagudem village. The lease holder has consumed 35,914 cum of ordinary earth (quarry over burden) for reclamation without payment of seigniorage fee.

12. Thus, the lease holder is liable to pay normal seigniorage fee along with fine equal to the market value of the mineral under Rule-34(1) of APMMC Rules, 1966. The details are as follows;

Description	Mineral	Quantity consumed (cum)	Evaded Seig. Fee (Rs.)	Market value of the Mineral (Rs.)	Total Amount (Rs.)
R&B Road Portion	Ordinary Earth	26,784	8,03,520	10,71,360	18,74,880
Buffer Zones in Sy.No.13/1 & 13/8	Ordinary Earth	9,130	2,73,900	3,65,200	6,39,100
Total:-		35,914	10,77,420	14,36,560	25,13,980

13. Accordingly the Assistant Director of Mines and Geology, Eluru has issued a demand notice to M/s.Shiridi Sai Stone Crushers for evasion of normal seigniorage fee Rs.1,04,68,995/- and market value of Rs.4,52,63,910/- with a fine of Rs.5,00,000/- totalling Rs.5,62,32,905/- vide demand notice No.4441/Q1/2005, Dt.17.06.2017.
14. The R&B Road said to be handed over was not traffic worthy and buffer zones on either side of the road were also not maintained in original condition.

As per V&E observations the findings are as follows:-

1. The then Executive Engineer Sri M.Venkateswara Rao, accorded permission to a private person / firm to take up the temporary road diversion and road formation duly closing the existing R&B Road to perform their quarry operations without jurisdiction.
2. The then Tahsildar, Devarapalli Mandal Sri D.Vijaya Kumar has recommended for grant of quarry lease in Dommeru – Decherla R&B road in favour of M/s.Shiridi Sai Stone Crushers on the request of the firm, without examining the permission given by the Executive Engineer (R&B) Kovvuru Division, West Godavari District.
3. The then Deputy Director of Mines and Geology, Kakinada Sri Mohd Moinuddin and Assistant Director of Mines and Geology, Eluru Sri M.Venkateswarlu have granted and executed the said quarry lease in favour of M/s.Shiridi Sai Stone Crushers to perform quarry operations in R&B Road and violated Regulation of 109 of Metalliferous Mines Regulations, 1961 and Mineral Concession Rules, 1960.
4. The Officials of the R&B, Revenue and Mines and Geology Departments have played an active role in granting the above quarry lease in favour of M/s.Shiridi Sai Stone Crushers and thereby caused loss of revenue of Rs.38,86,500/- to the State exchequer, besides damage to 186 meters of R&B Road.
5. M/s.Shiridi Sai Stone Crushers filed a representation before the Executive Engineer (R&B) Kovvuru Division and requested temporary diversion of Dommeru – Decherla R&B Road for a length of 185 meters for easy quarry operations of their quarry leased area. But, the firm has excavated the R&B road for Road Metal in the guise of road diversion against the contents of the representation.

6. The lease holder has excavated the Dommeru – Decherla R&B Road at Km.11/0-2 for a length of 185 meters and buffer zone in Sy.Nos.90/2, 13/1 and 13/8 upto a depth of 16-18 meters and transported 51,810 cum of Road metal without payment of seigniorage fee.

The above Vigilance and Enforcement observations clearly shows that Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Division, Kovvur, West Godavari District now Retired has failed to observe / notice quarrying by the M/s Shirdi Sai Crushers at Km 11/0-2 in Dommeru - Decherla (R&B) road in Survey Nos.88 (existing R&B road), Survey No.13/1 & 13/8 (Buffer Zones for R&B Road).

Hence, the charge.

//FORWARDED BY ORDER//

SECTION OFFICER



ANNEXURE-III

List of documents by which the articles of charge framed against Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired are proposed to be sustained.

**Government, General Administration, Vigilance and Enforcement
Department, Vigilance Report No.5(C.No.1025/V&E/NR.1/2016)
Dt.19.01.2018.**

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-IV

List of witnesses by whom the Articles of Charge framed against Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired.

---- NIL----

//FORWARDED BY ORDER//

SECTION OFFICER

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES- R&B Department – Allegations of irregularities against R&B officials for Granting of Quarry leases for road Metal in favour of M/s Shirdi Sai Crushers RS No.90, 88, 13/1 & 13/8 of Kondagudem Village, Devarapalli Mandal, West Godavari District –Departmental proceedings initiated against Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired - Sanction under Rule 9 of Revised Pension Rules, 1980 – Orders-Issued.

TRANSPORT ROADS & BUILDINGS (VIG.R&B) DEPARTMENT

G.O.Ms.No.51

Dated:22.12.2022

Read: .

From the ENC(R&B) Admn, Letter. No.6151/VC(1)/2019, dt.02.11.2022.

ORDER:

Whereas, it has come to the notice of the Government that Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired has violated Rules 8(1), 9 (1) & (2) & 10 (1A) of APCS (Conduct) Rules, 1964.

2. Now, therefore, sanction is accorded under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the A.P. Revised Pension Rules, 1980 to initiate departmental proceedings against Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired

3. It is further directed that the said departmental proceedings shall be conducted in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeals) Rules, 1991 by the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRADYUMNA PS
SECRETARY TO GOVERNMENT

To

Sri S.Suryanarayana Raju, the then Executive Engineer (R&B) Kovvur, West Godavari District now Retired through the, E-In-C (R&B) Admn, Andhra Pradesh, The Engineer-in-Chief(R&B) Admin, Vijayawada (He is requested to serve the sanction order to the Charged officer duly obtaining acknowledgement with dated signature and send the same for record).

SF/SC

//FORWARDED BY:: ORDER//

SECTION OFFICER

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

PS – R&B Department - Allegations of irregularities against R&B officials for Granting of Quarry leases for road Metal in favour of M/s Shirdi Sai Crushers RS No.90, 88, 13/1 & 13/8 of Kondagudem Village, Devarapalli Mandal, West Godavari District – Departmental proceedings initiated against Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvuru, West Godavari District under rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charges – Issued.

TRANSPORT ROADS & BUILDINGS (VIG.R&B)) DEPARTMENT

G.O.RT.No.415

Dated:22.12.2022

Read the following:

1. From the DG,GA(V&E) & EO, Prl Secretary to Govt, GA(V&E) Dept, Vigilance Report no.05(C.No.1025/V&E/NR.I/2016, dated 19-01-2018.
2. Govt Memo No.21021/9/Vig(R&B)/2019-1, dated 22-04-2022.
3. From the ENC(R&B) Admn, Letter. No.6151/VC(1)/2019, dt.02.11.2022.

ORDER:

It is proposed to hold an Inquiry against Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvuru, West Godavari District in accordance with the procedure laid down in rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substances of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each articles of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvuru, West Godavari District is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He is, therefore, directed to submit his written statement of defence within 10 days of the receipt of this order, specifically admitting or denying each article of charge.

4. Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvuru, West Godavari District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CCA) Rules 1991 or the orders/ directions issued on pursuance of the said rules, the inquiring authority may hold the inquiry against him ex-parte.

5. Attention of Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvuru, West Godavari District is invited to Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, which orders that no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvuru, West Godavari District is aware of such representation and that, it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

6. The receipt of the memorandum be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRADYUMNA PS
SECRETARY TO GOVERNMENT

To

Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvuru, West Godavari District through ENC(R&B) Admn, A.P, Vijayawada.

✓ The Engineer-In-Chief (R&B), Vijayawada. (He is requested to serve the Articles of Charge on the charged officer duly obtaining acknowledgement with dated Signature and send the same for record.)
SF/SC

//FORWARDED BY ORDER//

SECTION OFFICER



ANNEXURE-I**(Annexure to G.O.Rt.No.415, TR&B(VIG.R&B) Dept, dt.22.12.2022)****Statement of Articles of Charge framed against Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvuru, West Godavari District.****Article**

That the said Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvuru, West Godavari District, has committed the following lapses;

- i. Failed to observe / notice quarrying by the M/s Shirdi Sai Crushers at Km 11/0-2 in Dommeru - Decherla (R&B) road in Survey Nos.88 (existing R&B road), Survey No.13/1 & 13/8 (Buffer Zones for R&B Road).

This amounts to dereliction of duties.

Thus, he has violated Para-49 of A.P.P.W. "D" Code, Rule-3(1) of A.P.C.S (CC&A) Rules, 1964 and Article-4 of A.P. Financial Code Volume-1.

//FORWARDED BY ORDER//

SECTION OFFICER



ANNEXURE-II**Statement of Imputations of misconduct or misbehaviour in support of Articles of Charge framed against Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub Division, Kovvur, West Godavari District now Retired.****IMPUTATIONS**

The Vigilance & Enforcement Department Officials conducted Enquiry on the allegations made by the petitioners Sri Isukapati Srinivasa Rao and Sri N.Subba Rao of West Godavari District with regard to granting of quarry leases for Road Metal in favour of M/.Shiridi Sai Stone Crushers in R.S.No.90, 88, 13/1 and 13/8 of Kondagudem Village, Devarapalli Mandal, West Godavari District.

A) Allegations:-

1	The Lessee company M/s.Shiridi Sai Stone Crushers has not paid land lease amount of Rs.63.30 lakhs to the Revenue Department right from the granting of quarry lease for Road Metal in Sy.No.90/2 of Kondagudem Village, Devarapalli Mandal, West Godavari District.
2	Sri Kotharu Siva Rama Krishna, Proprietor of M/s.Shiridi Sai Stone Crushers is conducting illegal quarrying/transporting huge quantity of Road Metal from the above leased area without payment of seigniorage fee and sales tax, thereby causing huge loss to the Government exchequer.
3	The lease holder has irregularly excavated Dommeru – Decherla R&B Road and dispatched huge quantity of Road Metal without payment of seigniorage fee. No action was taken by the concerned Departmental Officers, which is giving an impression that the Departmental Officers were in collusion with the lease holder.

1. On 22.10.2008, the then Executive Engineer (R&B) Division, Kovvuru had given permission to take up the formation of temporary diversion duly closing the R&B Road of Dommeru – Decherla in Km.11/0-2 R/s to a length of 185 meters in favour of M/s.Shiridi Sai Stone Crushers to perform quarry operations in their existing quarry leased area.
2. The Tahsildar, Devarapalli Mandal has issued No Objection Certificate for grant of quarry lease for Road Metal over an extent of 0.70 Acres in S.No.88 (existing R&B Road) of Kondagudem Village, Devarapalli Mandal, West Godavari District in favour of M/s.Shiridi Sai Stone Crushers for a period of 5 years and copy of the same was marked to the Executive Engineer (R&B) Kovvuru for information.
3. But the above Executive Engineer has failed to object for the granting of quarry lease in R&B Road of Dommeru – Decherla in Km.11/0-2 R/s to a length of 185 meters in favour of M/s.Shiridi Sai Stone Crushers.
4. The Deputy Director, Mines and Geology, Kakinada has granted quarry lease in favour of M/s.Shiridi Sai Stone Crushers for a period of 5 years in the area in question and the same was executed by the Assistant Director, Mines and Geology, Eluru vide Lr.No.6222/Q1/2008, Dt.13.03.2009.
5. Subsequently, all the Officials of the R&B Department in Kovvuru division have also failed to object to the quarrying operations in Dommeru – Decherla R&B Road from 13.03.2009 to 23.10.2013.
6. As per the instructions of the District Collector, West Godavari, Eluru in connection with the adverse news item published in Eenadu Dt.17.11.2015 under caption "R&B Road nu addangaatavvesaru", the Revenue Divisional Officer, Kovvuru has inspected the quarry lease area of M/s.Shiridi Sai Stone Crushers on

30.11.2015 and submitted a report vide Roc.No.1745/2015/L, Dt.11.12.2015 to the District Collector and the findings are as detailed below;

- (i) The then Executive Engineer (R&B) Kovvuru has deliberately and blatantly issued permission for quarry operations on the R&B Road by violating the conditions, gave permission to a Government property without jurisdiction and played an active role by colluding with the lease holder Sri Kotharu Siva Rama Krishna. Being a responsible Officer, he has to obtain special orders in this nature of land, which is not done by the Executive Engineer (R&B) Kovvuru.
 - (ii) The then Tahsildar has totally failed to examine the permission given by the Executive Engineer (R&B) and simply recommended without observing that the land in question was a Government Land.
 - (iii) The Assistant Director, Mines and Geology, Eluru has also accorded permission to the lease holder for quarrying without examining the nature of land and accorded permission for Government Property i.e, R&B Road duly colluding with the party and totally failed to protect the Government Land.
 - (iv) Hence, the above Officers are totally responsible in the matter. Disciplinary action is warranted for their failure in protecting Government Land, according permission for quarry mining operations on a Government R&B road without jurisdiction duly colluding with the applicant and becoming a party for the entire episode which is not expected from a public servant.
The action of the District Collector, West Godavari on the findings of the Revenue Divisional Officer, Kovvuru is not known.
7. During inspection, while taking pit measurements in determined quarry leased area, it was observed that the Dommeru – Decherla R&B Road at Km.11/0-2 for a length of 185 meters in Sy.No.88 of Kondagudem Village and buffer zones of the R&B Road in Sy.No.90/2, 13/1 and 13/8 of Kondagudem village were completely excavated to a depth of 16 – 18 meters (average 12 meters depth of rock portion and overburden of 4 – 6 meters) and 51,810 cum of Road Metal was transported without payment of seigniorage fee.
 8. After intervention of the Vigilance and Enforcement Department, the Deputy Executive Engineer (R&B) Sub-Division, Kovvuru has addressed a letter to M/s.Shiridi Sai Stone Crushers, Kondagudem, wherein it was mentioned that permission was given to form temporary diversion of R&B road to perform quarry operations. But even after a period of 8 years, the road was not handed over, which was not traced in the field. Further he has requested to hand over the R&B Road in Original Position vide Letter No.V&E/Stone Crushed/DD Road/HC/2008, Dt.06.09.2016.
 9. On 22.12.2016, M/s.Shiridi Sai Stone Crushers has handed over the R&B Road partially forming the buffer zones and without traffic worthy condition against the conditions imposed by the Executive Engineer (R&B) Kovvuru vide 653/A.T.O./08, Dt.22.10.2008.
 10. The Superintending Engineer (R&B) Eluru has informed that no instructions were received from the Government for removal of existing R&B Road and no such GOs or Circulars are issued to accord permission by the R&B Department to a private person / firm to excavate minerals from the R&B Road vide Lr.No.4591/VC(1)/2003, Dt.03.01.2017.
 11. After completion of quarry operations in R&B Road and buffer zones, the lease holder M/s.Shiridi Sai Stone Crushers has partially reclaimed with Earth in Sy.No.88, 13/1 and 13/8 of Kondagudem village. The lease holder has

consumed 35,914 cum of ordinary earth (quarry over burden) for reclamation without payment of seigniorage fee.

12. Thus, the lease holder is liable to pay normal seigniorage fee along with fine equal to the market value of the mineral under Rule-34(1) of APMMC Rules, 1966. The details are as follows;

Description	Mineral	Quantity consumed (cum)	Evaded Seig. Fee (Rs.)	Market value of the Mineral (Rs.)	Total Amount (Rs.)
R&B Road Portion	Ordinary Earth	26,784	8,03,520	10,71,360	18,74,880
Buffer Zones in Sy.No.13/1 & 13/8	Ordinary Earth	9,130	2,73,900	3,65,200	6,39,100
Total:-		35,914	10,77,420	14,36,560	25,13,980

13. Accordingly the Assistant Director of Mines and Geology, Eluru has issued a demand notice to M/s.Shiridi Sai Stone Crushers for evasion of normal seigniorage fee Rs.1,04,68,995/- and mrket value of Rs.4,52,63,910/- with a fine of Rs.5,00,000/- totalling Rs.5,62,32,905/- vide demand notice No.4441/Q1/2005, Dt.17.06.2017.

14. The R&B Road said to be handed over was not traffic worthy and buffer zones on either side of the road were also not maintained in original condition.

As per V&E observations the findings are as follows:-

- Initially, the Proprietor, M/s Shirdi Sai Stone Crushers, vide his representation dated 21-10-2008 have requested the EE, Divn, Kovvur to permit his Agency to form a temporary diversion road to Dechrla – Dammeru R&B road, for a length of 185 mtrs for an easy operation of their existing quarry lease area in Survey No.90/2. The then DEE, Sri N.Dora, Sub Divn Kovvur, vide his letter dated 22-10-2008, has recommended the above. The then EE, Divn, Kovvur, Sri M.Venkateswara Rao on 22-10-2008 has permitted to take up the formation of temporary diversion road, duly closing the (R&B) road of Dommeru – Decherla in Km 11/0-2 R/s to a length of 185 M, to perform the quarry operation.
- The then Tahsildar, Devarapalli Mandal Sri D.Vijaya Kumar has recommended for grant of quarry lease in Dommeru – Decherla R&B road in favour of M/s.Shiridi Sai Stone Crushers on the request of the firm, without examining the permission given by the Executive Engineer (R&B) Kovvuru Division, West Godavari District.
- The then Deputy Director of Mines and Geology, Kakinada Sri Mohd Moinuddin and Assistant Director of Mines and Geology, Eluru Sri M.Venkateswarlu have granted and executed the said quarry lease in favour of M/s.Shiridi Sai Stone Crushers to perform quarry operations in R&B Road and violated Regulation of 109 of Metalliferous Mines Regulations, 1961 and Mineral Concession Rules, 1960.
- The Officials of the R&B, Revenue and Mines and Geology Departments have played an active role in granting the above quarry lease in favour of M/s.Shiridi Sai Stone Crushers and thereby caused loss of revenue of Rs.38,86,500/- to the State exchequer, besides damage to 186 meters of R&B Road.
- M/s.Shiridi Sai Stone Crushers filed a representation before the Executive Engineer (R&B) Kovvuru Division and requested temporary diversion of Dommeru – Decherla R&B Road for a length of 185 meters for easy quarry operations of their quarry leased area. But, the firm has excavated the R&B road

for Road Metal in the guise of road diversion against the contents of the representation.

6. The lease holder has excavated the Dommeru – Decherla R&B Road at Km.11/0-2 for a length of 185 meters and buffer zone in Sy.Nos.90/2, 13/1 and 13/8 upto a depth of 16-18 meters and transported 51,810 cum of Road metal without payment of seigniorage fee.

The above Vigilance and Enforcement observations clearly shows that Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvur, West Godavari District, has Failed to observe / notice quarrying by the M/s Shirdi Sai Crushers at Km 11/0-2 in Dommeru - Decherla (R&B) road in Survey Nos.88 (existing R&B road), Survey No.13/1 & 13/8 (Buffer Zones for R&B Road).

Hence, the charge.

//FORWARDED BY ORDER//

SECTION OFFICER



ANNEXURE-III

List of documents by which the articles of charge framed against Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvur, West Godavari District

Government, General Administration, Vigilance and Enforcement
Department, Vigilance Report No.5(C.No.1025/V&E/NR.1/2016)
Dt.19.01.2018.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-IV

List of witnesses by whom the Articles of Charge framed against Sri D.V.S.N.Bose, the then Deputy Executive Engineer (R&B) Sub-Division, Kovvur, West Godavari District.

--- NIL ---

//FORWARDED BY ORDER//

SECTION OFFICER

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